

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED

2013 FEB 21 P 1:29

RICHARD M. WICKING
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

V.

CR 12-834 ~~ORB~~
EMC

MONICO DOMINGUEZ,
JUAN DOMINGUEZ, JR.,
SHAWN GEERNAERT, and
JUAN PARTIDA

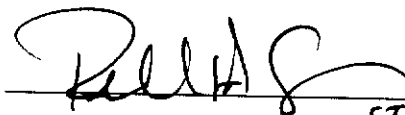
~~CONFIDENTIAL~~

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 1951-Hobbs Act Robbery/Conspiracy/Attempt; 18 U.S.C. § 924(c)-Use Possession of Firearm in Furtherance of Crime of Violence; 18 U.S.C. § 1957-Money Laundering; 31 U.S.C. § 5324(a)(3)- Structuring; 18 U.S.C. § 1512 - Obstruction of Justice; 21 U.S.C. § 841(a)(1) - Possession with Intent to Distribute Controlled Substance; 21 U.S.C. § 860- Maintaining Drug-Involved Premises Near Schools and Playgrounds; 18 U.S.C. § 2- Aiding and Abetting; 18 U.S.C. §§ 924(d) and 981(a)(1)(C)-Robbery Forfeiture; 18 U.S.C. § 982(a)(1)- Money Laundering Forfeiture;
31 U.S.C. § 5317- Structuring Forfeiture

A true bill.



Foreman

Filed in open court this 21ST day of

February 2013

Maria Elena James



ROSE MAHER

Clerk

NO BAIL ARREST WARRANT, \$



328

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING
OFFENSE CHARGED

See Attachment A

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

JUAN PARTIDA

DISTRICT COURT NUMBER

TBD

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI MELISSA VANEK

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Asst U.S. Atty Randy S. Luskey

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments:

United States v. Monico Dominguez, et al, et al
Defendant Information Sheet
Attachment A

2013 FEB 21 P 1:29
RICHARD M. LEE, CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

(1) MONICO DOMINGUEZ

COUNT 1: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. §§ 924(c) and 2 – Possession of a Firearm in Furtherance of a Crime of Violence
Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment
Maximum term of supervised release of 5 years
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNTS 4 through 6: 18 U.S.C. § 1957 – Money Laundering
Maximum term of 10 years imprisonment
Maximum term of supervised release of 3 years
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 7: 31 U.S.C. § 5324(d) — Structuring
Maximum term of 10 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of \$500,000
Mandatory special assessment of \$100

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NICHOLAS J. P. JUDGE
CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 9: 18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 10: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence
Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment; 25 year mandatory consecutive minimum if convicted of a second 924(c) offense
Maximum term of supervised release of 5 years
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

Count 11: 18 U.S.C. §§ 1512(c)(2) — Obstruction of Justice
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

(2) JUAN DOMINGUEZ JR.

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 9: 18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate Commerce
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 10: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence
Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment; 25 year mandatory consecutive minimum if convicted of a second 924(c) offense
Maximum term of supervised release of 5 years
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

(3) SHAWN GEERNAERT

FILED

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 9: 18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate Commerce
Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 12: 21 U.S.C. § 841(a) and (b)(1)(C) — Possession with Intent to Distribute Controlled Substance

Maximum term of 20 years' imprisonment

Maximum term of 3 years' supervised release

Maximum fine of \$1,000,000

Mandatory special assessment of \$100

COUNT 13: 21 U.S.C. § 860 — Maintaining Drug-Involved Premises Near Schools or Playgrounds

Maximum term of 40 years' imprisonment

Mandatory minimum term of one year imprisonment

Maximum term of 6 years' supervised release

Maximum fine of \$2,000,000

Mandatory special assessment of \$100

[REDACTED]

(4) **JUAN PARTIDA**

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RICHARD J. LEE, CLERK
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

COUNT 1: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce
Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence
Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment
Maximum term of supervised release of 5 years
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

Count 14: 18 U.S.C. §§ 1001 — False Statements
Maximum term of 5 years imprisonment
Maximum term of 3 years' supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

Count 15: 18 U.S.C. §§ 1512(c)(2) — Obstruction of Justice
Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

2013 FEB 21 P 1:29

U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

v.

MONICO DOMINGUEZ,
JUAN DOMINGUEZ, JR.,
SHAWN GEERNAERT, and
JUAN PARTIDA

Defendants.

No. CR 12-00834 EMC

VIOLATIONS: 18 U.S.C. § 1951 – Hobbs
Act Robbery/Conspiracy/Attempt; 18 U.S.C. §
924(c) – Use/Possession of Firearm in
Furtherance of Crime of Violence; 18 U.S.C. §
1957 – Money Laundering; 31 U.S.C. §
5324(a)(3) – Structuring; 18 U.S.C. § 1512 –
Obstruction of Justice; 21 U.S.C. § 841(a)(1)
– Possession with Intent to Distribute
Controlled Substance; 21 U.S.C. § 860 –
Maintaining Drug-Involved Premises Near
Schools and Playgrounds; 18 U.S.C. § 1001 –
False Statements; 18 U.S.C. § 2 – Aiding and
Abetting; 18 U.S.C. §§ 924(d) and
981(a)(1)(C) – Robbery Forfeiture; 18 U.S.C.
§ 982(a)(1) – Money Laundering Forfeiture;
31 U.S.C. § 5317 – Structuring Forfeiture.

SAN FRANCISCO VENUE

UNDER SEAL

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting
Interstate Commerce)

1 1. From in or about June 2011, up through and including on or about August 11,
2 2011, in the Northern District of California, the defendants,

3 MONICO DOMINGUEZ and

4 JUAN PARTIDA,

5 and others known and unknown to the grand jury, unlawfully, willfully, and intentionally
6 combined, conspired, confederated, and agreed together and with each other to commit robbery,
7 as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby would
8 obstruct, delay, and affect commerce and the movement of articles and commodities in
9 commerce.

10 All in violation of Title 18, United States Code, Section 1951(a).

11 COUNT TWO: (18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce)

12 2. On or about August 11, 2011, in the Northern District of California, the
13 defendants,

14 MONICO DOMINGUEZ and

15 JUAN PARTIDA,

16 and others known and unknown to the grand jury, unlawfully and knowingly obstructed, delayed,
17 and affected commerce and the movement of articles and commodities in commerce by robbery,
18 as that term is defined in Title 18, United States Code, Section 1951(b)(1).

19 All in violation of Title 18, United States Code, Sections 1951(a) and 2.

20 COUNT THREE: (18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a
21 Crime of Violence)

22 3. On or about August 11, 2011, in the Northern District of California, the
23 defendants,

24 MONICO DOMINGUEZ and

25 JUAN PARTIDA,

26 and others known and unknown to the grand jury, unlawfully and knowingly used and carried a
27 firearm during and in relation to a crime of violence for which they may be prosecuted in a court
28 of the United States, namely, the conspiracy to commit robbery affecting commerce charged in

Count One of this Indictment, and the robbery affecting commerce charged in Count Two of this Indictment and possessed and brandished a firearm in furtherance of the offenses charged in Counts One and Two of this Indictment.

All in violation of Title 18, United States Code, Sections 924(c) and 2.

COUNTS FOUR THROUGH SIX: (18 U.S.C. § 1957 – Money Laundering)

4. On or about the dates set forth below, in the Northern District of California, the defendant,

MONICO DONINGUEZ,

unlawfully and knowingly engaged and attempted to engage in the following monetary transactions by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, that is the conspiracy to commit robbery affecting commerce charged in Count One of this Indictment and the robbery affecting interstate commerce as charged in Count Two of the Indictment:

Count	Date	Description
4	August 30, 2011	Purchase of 2011 Harley Davidson (20R3956) with \$21,000 in cash
5	December 4, 2011	Purchase of 2010 Hyundai Genesis (6TBD651) with \$20,000 cashier's check
6	March 7, 2012	Purchase of Edwards 60-Ton Hydraulic Ironworker with \$10,775 wire transfer

Each in violation of Title 18, United States Codes, Section 1957.

COUNT SEVEN: (31 U.S.C. § 5324(a)(3) – Structuring)

5. From on or about August 17, 2011, up through and including on or about June 29, 2012, in the Northern District of California, the defendant,

MONICO DOMINGUEZ,

unlawfully and knowingly, and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, structured,

1 assisted in structuring, and attempted to structure and assist in structuring transactions with
 2 domestic financial institutions, by engaging in approximately 42 cash deposits of domestic coin
 3 and currency totaling approximately \$146,500, as part of a scheme and pattern of illegal activity
 4 involving more than \$100,000 in a 12-month period.

5 All in violation of Title 31, United States Code, Section 5324(a)(3) and 5324(d); and
 6 Title 31, Code of Federal Regulations, Part 103.

7 COUNT EIGHT: (18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting
 8 Interstate Commerce)

9 6. From in or about July 2012, up through and including on or about August 6, 2012,
 10 in the Northern District of California, the defendants,

11 MONICO DOMINGUEZ,

12 JUAN DOMINGUEZ, JR., and

13 SHAWN GEERNAERT,

14 and others known and unknown to the grand jury, unlawfully, willfully, and intentionally
 15 combined, conspired, confederated, and agreed together and with each other to commit robbery,
 16 as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby would
 17 obstruct, delay, and affect commerce and the movement of articles and commodities in
 18 commerce.

19 All in violation of Title 18, United States Code, Section 1951(a).

20 COUNT NINE: (18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate
 21 Commerce)

22 7. On or about August 6, 2012, in the Northern District of California, the defendants,

23 MONICO DOMINGUEZ,

24 JUAN DOMINGUEZ, JR., and

25 SHAWN GEERNAERT,

26 and others known and unknown to the grand jury, unlawfully and knowingly attempted to
 27 obstruct, delay, and affect commerce and the movement of articles and commodities in
 28 commerce by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1).

1 All in violation of Title 18, United States Code, Sections 1951(a) and 2.

2 COUNT TEN: (18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a
3 Crime of Violence)

4 8. On or about August 6, 2012, in the Northern District of California, the defendants,
5 MONICO DOMINGUEZ, and
6 JUAN DOMINGUEZ, JR.,
7 and others known and unknown to the grand jury, unlawfully and knowingly used and carried a
8 firearm during and in relation to a crime of violence for which they may be prosecuted in a court
9 of the United States, namely, the conspiracy to commit robbery affecting commerce charged in
10 Count Eight of this Indictment, and the attempted robbery affecting commerce charged in Count
11 Nine of this Indictment and possessed and brandished a firearm in furtherance of the offenses
12 charged in Counts Eight and Nine of this Indictment.

13 All in violation of Title 18, United States Code, Sections 924(c) and 2.

14 COUNT ELEVEN: (18 U.S.C. § 1512(c)(2) — Obstruction of Justice)

15 9. In or about September 2012, in the Northern District of California, the defendant,
16 MONICO DONINGUEZ,
17 unlawfully, knowingly, and corruptly attempted to obstruct, influence, and impede an official
18 proceeding, to wit, MONICO DOMINGUEZ solicited another individual to bribe a government
19 witness to offer false testimony, thereby obstructing and impeding a federal criminal
20 investigation.

21 All in violation of Title 18, United States Code, Section 1512(c)(2).

22 COUNT TWELVE: (21 U.S.C. § 841(a)(1) — Possession with Intent to Distribute a Controlled
23 Substance)

24 10. On or about October 21, 2012, in the Northern District of California, the
25 defendant,

26 SHAWN GEERNAERT,
27 unlawfully, knowingly, and intentionally possessed with the intent to distribute marijuana.

28 All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(D).

1 COUNT THIRTEEN: (21 U.S.C. § 860 — Maintaining Drug-Involved Premises in or
2 Near Schools and Playgrounds)

3 11. On or about October 21, 2012, in the Northern District of California, the
4 defendant,

5 SHAWN GEERNAERT,
6 unlawfully, knowingly, and intentionally maintained a cabinet shop at 2944 Dutton Meadow in
7 Santa Rosa, California, for the purpose of manufacturing marijuana, within 1,000 feet of the real
8 property comprising a playground.

9 All in violation of Title 21, United States Code, Section 860.

10 COUNT FOURTEEN: (18 U.S.C. § 1001 — False Statement to Government Agency)

11 12. On or about December 12, 2012, in the Northern District of California, the
12 defendant,

13 JUAN PARTIDA,
14 unlawfully, willfully, and knowingly made a materially false, fictitious, and fraudulent statement
15 and representation in a matter within the jurisdiction of a department or agency of the United
16 States, to wit, JUAN PARTIDA told federal investigators that he did not know MONICO
17 DOMINGUEZ, his cousin, had never heard the name MONICO DOMINGUEZ, and had never
18 talked to MONICO DOMINGUEZ, thereby obstructing and impeding a federal criminal
19 investigation.

20 All in violation of Title 18, United States Code, Section 1001.

21 COUNT FIFTEEN: (18 U.S.C. § 1512(c)(2) — Obstruction of Justice)

22 13. On or about December 12, 2012, in the Northern District of California, the
23 defendant,

24 JUAN PARTIDA,
25 unlawfully, knowingly, and corruptly attempted to obstruct, influence, and impede an official
26 proceeding, to wit, JUAN PARTIDA told federal investigators that he did not know MONICO
27 DOMINGUEZ, his cousin, had never heard the name MONICO DOMINGUEZ, and had never
28 talked to MONICO DOMINGUEZ, thereby obstructing and impeding a federal criminal

1 investigation.

2 All in violation of Title 18, United States Code, Section 1512(c)(2).

3 FIRST FORFEITURE ALLEGATION: (18 U.S.C. §§ 924(d) and 981(a)(1)(c) —
4 Robbery Forfeiture)

5 14. The allegations contained in this Indictment are re-alleged and by this reference
6 fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of 18
7 U.S.C. §§ 924(d), 981(a)(1)(C) and 28 U.S.C. § 2461(c).

8 15. Upon a conviction for Counts One, Two, Three, Eight, Nine, or Ten, alleged
9 above, the defendants,

10 MONICO DOMINGUEZ,

11 JUAN DOMINGUEZ, JR.,

12 SHAWN GEERNAERT, and

13 JUAN PARTIDA

14 shall forfeit to the United States of America: (1) any property, real or personal, which constitutes
15 or is derived from proceeds traceable to said offense, and (2) any firearms or ammunition
16 intended to be used in said offense, including but not limited to:

- 17 a. a 2011 Harley-Davidson Motorcycle bearing license plate number
18 20R3956;
- 19 b. a 2005 Harley-Davidson Motorcycle bearing license plate number
20 NORYDS;
- 21 c. a 1997 Harley-Davidson Motorcycle bearing license plate number
22 6KOR650;
- 23 d. a 2011 Kawasaki KLR 650 Motorcycle;
- 24 e. a 2010 Hyundai Genesis bearing license plate number 6TBD651;
- 25 f. a 1963 Chevy Impala bearing license plate number 6TXA180;
- 26 g. a Deep Arch Corrugated Quonset Hut Style Building; and
- 27 h. a Edwards 60-Ton Hydraulic Ironworker

28 16. If, as a result of any act or omission of the defendant, any of said property

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

any and all interest the defendants have in other property shall be vested in the United States and forfeited to the United States pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461.

All in violation of 18 U.S.C. §§ 924(d), 981(a)(1)(C); 28 U.S.C. § 2461(c); and Rule 32.2 of the Federal Rules of Criminal Procedure.

SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) — Money Laundering Forfeiture)

17. The factual allegations contained in Counts Four through Six of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 982(a)(1).

18. Upon a conviction of any of the offenses alleged in Counts Four through Six, the defendant,

MONICO DOMINGUEZ,

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(1), all right, title, and interest in property, real and personal, involved in said violation, or any property traceable to such property, including but not limited to the following:

- a. a 2011 Harley-Davidson Motorcycle bearing license plate number 20R3956;
- b. a 2010 Hyundai Genesis bearing license plate number 6TBD651;
- c. a Edwards 60-Ton Hydraulic Ironworker.

19. If, as a result of any act or omission of the defendants, any of said property

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to or deposited with, a third person;

- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

any and all interest the defendant has in any other property (not to exceed the value of the above forfeitable property) shall be forfeited to the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated in Title 18, United States Code, Section 982(b)(1).

THIRD FORFEITURE ALLEGATION: (31 U.S.C. § 5317 - Structuring Forfeiture)

20. The allegations contained in Count Seven of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 31, United States Code, Section 5317.

21. Pursuant to Title 31, United States Code, Section 5317, upon conviction of Count Seven, the defendant,

MONICO DOMINGUEZ,

shall forfeit to the United States of America all property, real or personal, involved in the offense and any property traceable thereto, including but not limited to:

- a. a 2011 Harley-Davidson Motorcycle bearing license plate number 20R3956;
- b. a 2005 Harley-Davidson Motorcycle bearing license plate number NOR YDS;
- c. a 1997 Harley-Davidson Motorcycle bearing license plate number 6KOR650;
- d. a 2011 Kawasaki KLR 650 Motorcycle;
- e. a 2010 Hyundai Genesis bearing license plate number 6TBD651;
- f. a 1963 Chevy Impala bearing license plate number 6TXA180;
- g. a Deep Arch Corrugated Quonset Hut Style Building; and
- h. a Edwards 60-Ton Hydraulic Ironworker

22. If any of the property described above, as a result of any act or omission

1 of the defendant:

- 2 a. cannot be located upon the exercise of due diligence;
3 b. has been transferred or sold to, or deposited with, a third party;
4 c. has been placed beyond the jurisdiction of the court;
5 d. has been substantially diminished in value; or
6 e. has been commingled with other property which cannot be divided
7 without difficulty,

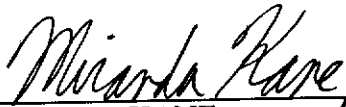

8 the United States of America shall be entitled to forfeiture of substitute property pursuant to
9 Title 21, United States Code, Section 853(p), as incorporated by Title 31, United States Code,
10 Section 5317(c) and by Title 28, United States Code, Section 2461(c).


11
12 DATED: February 21 2013

A TRUE BILL

13
14 
15 FOREPERSON

16 MELINDA HAAG
17 United States Attorney

18 
19 MIRANDA KANE
20 Chief, Criminal Division 

21 (Approved as to form: )

22 RANDY LUSKEY
23 Assistant United States Attorney
24
25
26
27
28